IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE TWENTY FOURTH DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE V.V.S.RAO

WRIT PETITION NO : 12836 of 2002

Between:

1. Nalluru Suryanarayana Rao, S/o Subbarayadu,

   Occ: Business, R/o Arunachalam St., Stone House Pet,

   Nellore-2.

2. Vadlapudi Venkata Suresh Babu, S/o V.Venkata Subbaiah,
   R/o Arunachalam Street, Stone Housepet, Nellore-2.

..... PETITIONER

AND

1. The Superintendent of Police, Nellore, Nellore District.
2. Inspector of Police (Law & Order) Nellore Town, Nellore District.
3. Station House Officer, II Town Police Station, Nellore Town,
   Nellore District.
4. Gademsetty Venkateswara Rao, S/o Gademsetty Narasimham,
   R/o H.No.6/547, Singarajuvari street, Nellore town, Nellore District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents police in harassing the petitioners without registering a crime is illegal, arbitrary and against the principles of natural justice and violative of Articles 19 & 21 of the Constitution of India.

Counsel for the Petitioners: MR.P.GIRI KRISHNA

Counsel for the Respondents 1 to 3.: GP FOR HOME

Counsel for the Respondent 4 : MR.P.SRIDHAR REDDY

The Court made the following :

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION NO.12836 OF 2002

ORDER:

The petitioners are residents of Arunachalam Street, Nellore. They are engaged in the business of tamarind and jaggery as wholesale commission merchants. They allege that without there being any crime against them, the Police are regularly interfering with the business in an illegal manner. Therefore, they filed the present writ petition seeking a declaration that the action of the respondents in harassing them is illegal and arbitrary.

This Court at the time of admission directed the learned Assistant Government Pleader to get instructions. After getting instructions in the matter, he submitted on 24.07.2002 that the Police never interfered nor harassed the petitioners and therefore, the W.P.M.P. was dismissed. In the counter affidavit filed by the first respondent, it is stated that the Police have nothing to do with the disputes between the petitioners and the fourth respondent and that the Police never interfered in the dispute.

In view of the uncontroverted counter averments, the writ petition must be held as misconceived and is accordingly dismissed. No costs.

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(V.V.S.RAO,J)

24.06.2005.

pln

To

1. The Superintendent of Police, Nellore, Nellore District.
2. Inspector of Police (Law & Order) Nellore Town, Nellore District.
3. Station House Officer, II Town Police Station, Nellore Town, Nellore District.
4. Two CCs to Government Pleader for Home, High Court Buildings, Hyderabad (OUT).
5. 2 CD copies.